

Message Text

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61

ACTION L-03

INFO OCT-01 EUR-12 ISO-00 SP-02 EB-07 COME-00 TRSE-00

OMB-01 SS-15 NSC-05 H-02 CIAE-00 INR-07 NSAE-00

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FM AMEMBASSY LONDON

TO SECSTATE WASHDC 7755

INFO AMCONSUL BELFAST

AMCONSUL EDINBURGH

AMCONSUL LIVERPOOL

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E.O. 11652: N/A

TAGS: BGEN, PDOR, PINR, UK

SUBJECT: BRIBERY OF FOREIGN OFFICIALS BY U.S. FIRMS
OPERATING ABROAD

REF: STATE 258169

1. IN RESPONSE REFTEL REQUESTING LOCAL LAWS AND REGULATIONS GOVERNING INVOLVEMENT BY AGENTS IN SALES TO GOVERNMENT, EMBASSY POUCHING TO L/PM COPIES OF DOCUMENTS SUMMARIZE BELOW.

2. PUBLIC BODIES CORRUPT PRACTICES, L889, MAKES "BRIBERY AND AORRUPTION" OF AND BY PUBLIC OFFICIALS IN THE U.K. A MISDEMEANOR.

3. PREVENTION OF CORRUPTION ACT, 1906, SPECIFICALLY REFERS TO AGENTS AND MAKES CORRUPTION IN ANY BUSINESS TRANSACTION A MISDEMEANOR.

4. PREVENTION OF CORRUPTION ACT, 1916, AMENDS 1906 ACT TO INCREASE PENALTIES IN TRANSACTIONS INVOLVING HMG
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OR ANY OTHER U.K. PUBLIC BODY.

5. IN "STANDARD CONDITIONS OF GOVERNMENT CONTRACTS FOR STORES PURCHASES", CONDITION 20 SPECIFICALLY PROHIBITS CORRUPTION OF U.K. OFFICIALS BY CONTRACTORS.

6. IN LETTER DEC. 23, 1975 FROM A.H. BLYTH, HEAD OF CONTRACTS POLICY, PROCUREMENT EXECUTIVE MINISTRY OF DEFENCE, TO COMMERCIAL COUNSELOR, THE FORMER CITES GOVERNMENT PURCHASING POLICY OF PREFERRING TO DEAL DIRECTLY WITH SUPPLIERS. DEALING WITH AGENTS PERMISSIBLE, BUT GOVERNMENT POLICY SEEKS INSURE THAT AGENT DOES NOT MISREPRESENT SERVICES HE CAN OFFER HIS EMPLOYER, THAT FEES ARE IN PROPORTION TO SERVICES RENDERED, AND THAT NO IMPROPER INFLUENCE USED IN DEALING WITH GOVERNMENT DEPARTMENTS. ALTHOUGH LETTER FROM MINISTRY OF DEFENCE, POLICY APPLICABLE THROUGHOUT U.K. GOVERNMENT.

7. ACTS OF 1906 AND 1916 MAY BE APPLICABLE TO AGENTS IN U.K. DEALING WITH FOREIGN GOVERNMENTS, BUT OUR SOURCES NOT CERTAIN AND WILL SEEK ADVISORY OPINION FROM TREASURY DEPARTMENT.

8. REGRETTABLE DELAY IN SECURING THIS INFORMATION DUE SLOW MOVEMENT OF BUREAUCRACY IN FCO.
SPIERS

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Message Attributes

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